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MEMO ENCLOSED

December 16, 2022

Via ECF

Honorable Judge Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: Ampong, Dora v. Costco Wholesale Corporation
Docket No.: 1:21-cv-02049 (CM)

Dear Hon. Judge McMahon:

This office represents defendant, Costco Wholesale Corporation s/h/a Costco Wholesale Corp. ("Costco"), in connection with the above-referenced matter.

Earlier today, Costco filed its motion for summary judgment (D.E. #76 - 79) in compliance with the Court's October 17, 2022 briefing schedule (D.E. #75). Costco respectfully requests that this motion supersede and replace the motion for summary judgment Costco filed on August 26, 2022 (D.E. #51 - 54-1). By Order dated August 30, 2022, the Court advised that it would not address Costco's prior motion (D.E. #51 - 54-1) before the completion of Costco's deposition. Thereafter, three Costco employees were deposed by plaintiff and plaintiff was re-deposed. By separate applications, the parties informed the Court on October 15, 2022 that discovery was complete. The Court issued an Order dated October 17, 2022, directing that any motions for summary judgment be filed by December 16, 2022. In compliance with this Order, Costco respectfully submits D.E. #76 - 79 for consideration.

12/19/2022
Clerk to terminate the motion at docket #51 from the court's list of open motions, as it has been withdrawn.

Colleen McMahon

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Southern District of New York
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Thank you for the opportunity to address the Court in this matter.

Respectfully submitted,

/s/ Ian E. Hannon
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748379

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